

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Int. Application No. : PCT/CN03/001094 Confirmation No. :  
First Named Inventor : Fuli ZHANG  
Int. Appl. Filed : December 19, 2003  
TC/A.U. : Unassigned  
Examiner : Unassigned  
  
Docket No. : 101402.57603US  
Customer No. : 23911  
  
Title : Method of Preparing Memantine Hydrochloride

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO/SB/08 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

**I. Time Period of Submission**

This Information Disclosure Statement is submitted:

1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

a Statement under 37 C.F.R. § 1.97(e); or  
 a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and  
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO/SB/08:

The relevance of document(s) \_\_\_\_\_ to the subject matter of the present invention is/are provided in the specification of the above-identified application.

The listed documents were found to be relevant during the prosecution of the related International Application. A copy of the International Search Report setting forth each portion of the documents to which the Examiner found to be relevant is attached hereto together with an English-language version of said search report. Copies of the two listed foreign documents are not being provided as the documents should have been transmitted by the International Bureau. English language abstracts of each foreign document are, however, being provided herewith.

English language family member publication(s) of document(s) \_\_\_\_\_ is/are noted on Form PTO/SB/08.

English language abstract(s) is/are submitted for document(s) \_\_\_\_\_.

English translation(s) of the foreign language document(s) \_\_\_\_\_ is/are submitted herewith.

Applicant submits the following explanations:  
\_\_\_\_\_.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 101402.57603US, for the fee set forth in 37 C.F.R. § 1.17(p).

Respectfully submitted,

April 13, 2006

  
\_\_\_\_\_  
Gary R. Edwards  
Registration No. 31,824

Christopher T. McWhinney  
Registration No. 42,875

CROWELL & MORING LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
GRE:CTM:mdm (2748938)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>Date Submitted: April 13, 2006</p> <p>(use as many sheets as necessary)</p>				<p><b>Complete if Known</b></p> <table border="1"> <tr> <td>Int. Application Number</td> <td>PCT/CN03/10194</td> </tr> <tr> <td>Int. Appl. Filing Date</td> <td>December 19, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Fuli ZHANG</td> </tr> <tr> <td>Group Art Unit</td> <td>Unassigned</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>101402.57603US</td> </tr> </table>		Int. Application Number	PCT/CN03/10194	Int. Appl. Filing Date	December 19, 2003	First Named Inventor	Fuli ZHANG	Group Art Unit	Unassigned	Examiner Name	Unassigned	Attorney Docket Number	101402.57603US
Int. Application Number	PCT/CN03/10194																
Int. Appl. Filing Date	December 19, 2003																
First Named Inventor	Fuli ZHANG																
Group Art Unit	Unassigned																
Examiner Name	Unassigned																
Attorney Docket Number	101402.57603US																
Sheet	1	of	1														

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	4,122,193	A	SHERM et al.	10-24-1978	
	A2	5,061,703	A	BORMANN et al.	10-29-1991	

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.